98-84382-14

Beck, Abraham

Western Land Agency and Commission Office

[St. Louis]

[1820]

98-84382-14
MASTER NEGATIVE #

COLUMBIA UNIVERSITY LIBRARIES
PRESERVATION DIVISION

# BIBLIOGRAPHIC MICROFORM TARGET

ORIGINAL MATERIAL AS FILMED - EXISTING BIBLIOGRAPHIC RECORD

333 Beck
Z7 [~~Beck~~, Abraham]
Western land agency and commission office
[St. Louis 1820] S in O 32 p

No 1 of a vol of pamphlets
No title-page

30876

RESTRICTIONS ON USE: *Reproductions may not be made without permission from Columbia University Libraries.*

## TECHNICAL MICROFORM DATA

FILM SIZE: 35mm REDUCTION RATIO: 9:1 IMAGE PLACEMENT: IA (IIA) IB IIB

DATE FILMED: 4/2/98 INITIALS: F.C.

TRACKING # : 32539

FILMED BY PRESERVATION RESOURCES, BETHLEHEM, PA.

933.17

# WESTERN

## LAND AGENCY

AND

## COMMISSION OFFICE.

The subscriber informs his friends and the public, that he continues the office for the transaction of LAND AGENCY AND COMMISSION business, established in St. Louis, Missouri, by the late Capt. Aaron T. Crane and himself.

Lands, Houses and Lots, bought and sold; Land selected and entered, or purchased to order, at the United States' sales, or of individuals. Deeds, Bonds, Mortgages, Powers of Attorney, and all instruments of conveyancing carefully drawn, or the same received and entered on record at the proper office in Illinois, Missouri or Arkansas. Taxes paid. Titles examined, and every description of agency connected with the soil, transacted for a moderate compensation.

Land warrants and patents procured for soldiers and their legal representatives. Pensions due to persons in any part of the United States, settled, received, and forwarded.

St. Louis is situated on the Mississippi, 35 miles from the mouth of the Illinois; 15 miles from the mouth of the Missouri; about 50 miles from Kaskaskia, the present seat of government of the state of Illinois, and about 70 miles from Vandalia, the future capital of that state; only 18 miles from Edwardsville, the county town of Madison co. (Illinois,) where the deeds of the Illinois Bounty Lands must be recorded; about 174 miles from Franklin the seat of justice of Howard county (Missouri), at which place, the deeds of the Missouri Bounty Lands are to be recorded.

St. Louis contains about 5000 inhabitants, is the present capital of the Missouri territory, and is the commercial depot of that rich tract of country watered by those noble rivers, the Missouri, the Illinois, and the upper Mississippi, and their thousand tributary streams. The communication to the Boon's Lick country, is continual and direct. The intercourse by steam-boats between St. Louis and the towns on the Ohio and Mississippi, particularly New Orleans, is constant. St. Louis, from its local situation, and the immense advantages, which it possesses, not only promises, but insures future greatness. An agency in the western country cannot, therefore, at any place, be so well located as at St. Louis. The number of travellers and strangers from every part of the U. S. is immense, and most of them devote their time to the examination of the soil, and the peculiar advantages, which the west presents; most of these persons visit St. Louis; information is and will there-



fore be concentrated at this place. The subscriber is determined to withhold no exertion to collect every possible information respecting the Western country, particularly concerning the quality, situation, and titles; and he calculates his office will prove a useful resort for the stranger, whether his object is curiosity, speculation, or to provide a permanent residence for himself and family.

### LAWS CONCERNING DEEDS IN ILLINOIS.

Deeds or conveyances for lands in Illinois, made or executed without the state, must be acknowledged by the grantor, or proved by one of the subscribing witnesses, before a Judge of the superior court of the state, mayor, or other chief magistrate of the city, or before the clerk of the county or other court of the county, where such deeds shall be made and executed, and certified under the common or public seal of such city or county.

All such deeds or conveyances must be recorded in the recorder's office of the county where the lands are situate within 12 months after the execution of such deeds or conveyances.

### RECORDER'S FEES.

For recording every 100 words, 18 cents. For a certificate of the deed being recorded, 50 cents.

### LAWS CONCERNING DEEDS IN MISSOURI.

All deeds or conveyances of lands or tenements in Missouri, made and executed by persons residing out of the territory, must be ac-

FEB 12 1908
416117

knowledged or proved by the grantor, or one of the subscribing witnesses, before a court of record, and certified under the seal of such court, or before a mayor, chief magistrate or other officer of any city, town or place, where such deeds or conveyances are made or executed, and certified under the public seal of such city, town or place, or in case they have none, under the private seal of the acknowledging officer.

All such deeds or conveyances must be recorded in the county, where the lands or tenements are situated within three months from the date thereof.

### CLERK'S FEES.

For recording every 100 words, 15 cents; for certificate and seal, 20 cents.

There is also a territorial tax of 50 cents on each deed recorded.

### LAWS CONCERNING DEEDS IN ARKANSAS.

The laws in Arkansas concerning deeds and conveyances are the same as in Missouri; no other law having as yet been passed in Arkansas on the subject.

The original patents granted by the United States are in no case, required to be be recorded.

### TAXES ON LANDS IN ILLINOIS.

All lands sold by the United States, after the 1st Jan. 1819, are exempt from taxation for five years. All bounty lands granted for services during the last war, while held by the patentees, or their heirs, are exempt from taxation



for three years from the date of the patents respectively. All other lands are divided into three classes, viz. 1st, 2d, and 3d qualities, which are respectively valued at four, three and two dollars per acre. A tax of one half per centum is assessed upon the value of all lands. All non-residents claiming lands are obliged to enter the same on or before the first day of August in each year, and, at the same time, to present a list describing the quality and class of each tract, and the county in which it is situated, which list is to be verified by the affidavit of such non-resident or his AGENT; non-residents are obliged to pay the taxes imposed, on or before the first day of October in every year. All non-residents failing or neglecting to enter their lands as aforesaid, or to pay the taxes, become liable to the payment of treble taxes, and the sale of their lands; their lands, in such case, to be rated of the first class. The right of redemption remains for two years, upon the payment of an additional one hundred per cent. The collection of the taxes on the lands of non-residents for 1818, was postponed until the first of October, 1819, and those who paid on or before that day the single tax for the year 1818, and previously, were exempt from paying the treble taxes formerly imposed by law, but in case they failed, the collection of treble tax was to be enforced. Where the treble tax had already been paid on military bounty lands for the year 1818, and previously, the amount of excess over single taxes was directed to be allowed in the payment of subsequent taxes.

Purchasers of lands in the bounty tract, after March 27, 1819, are allowed nine months, from the date of the purchase, to list them with the auditor.

Several inquiries having been made, as to the situation of lands conveyed before August 1, 1819, but of which the deeds remained unrecorded, and the taxes unpaid until after October 1, 1819, application was made to the treasurer and auditor of Illinois for an answer on the subject. They stated that treble taxes would be exacted from them from the date of the conveyances whenever they should be recorded. Such lands cannot, however, be sold, unless recorded, until the expiration of three years from the date of the patent. The proprietor will, therefore, not become subject to the 100 per centum for redemption.

### TAXES OF LANDS IN MISSOURI & ARKANSAS.

A territorial tax is levied and collected in Missouri, of 60 cents for every 100 arpens. (An 100 arpens are equal to $85\frac{7}{100}$ acres.) All lands owned by non-residents must be listed with the auditor of public accounts before the first day of July in each year, and the purchasers of lands owned by non-residents are bound to file a certified copy of the deeds or transfers. Taxes are collected after the 1st day of August in every year, and if not paid by the first of November, the lands are sold, with a right of redemption for one year, upon the payment of the amount of the taxes, together with the costs of sale and survey, and one hundred per cent



interest per annum on the same, and likewise payment of all improvements made by the purchasers, at their just and real value.

The laws in Arkansas, on the subject of taxes, still remain the same as in Missouri.

### SOLDIERS' BOUNTY LANDS.

Deeds for military lands entrusted to this agency for record will receive particular attention, and the greatest care will be bestowed to have them properly entered on record, and promptly returned to the owner.

For the accommodation of non-resident owners of military lands, A SPECIAL TAX REGISTER has been opened, in which are entered all lands placed in charge of the subscriber for payment of taxes. This Register will be permanent, and the taxes on land registered therein annually paid, and the receipts forwarded.

A BOOK IS KEPT FOR THE ENTRY OF LANDS FOR SALE OR LEASE, which is constantly open for inspection. Proprietors of lands, and particularly those in the military tract, are invited to patronise this Register by an immediate entry of their lands, with the terms and prices, for which they will sell. No charge will be made for the record. The principal object is, to concentrate in one agency a considerable number of locations, in hopes thereby to enable emigrants to settle upon the bounty lands, and form compact improvements. Unless these lands can be procured in tracts less scattered than they now offer, settlers will be

deterred from locating upon them, and consequently there will be no advance in their value, although as fine a body of land, as can any where be found. Families daily arrive at this place and the vicinity, who start with the intention of settling upon the soldiers' lands, many of whom are prevented by the difficulty of procuring lands in situations where they can find neighbours, —it frequently happens that six and eight emigrate together, with the determination of forming a settlement near each other; the good quality and the low price of the soldiers' lands first attract attention; but when they find that those lands are only to be had in detached parts, scattered many miles asunder, they are obliged to abandon them and seek lands elsewhere.

A DIGESTED INDEX to the deeds on record of the Illinois bounty lands, of a peculiar nature, has also been made by the subscriber, at great expense and labour. By it he is enabled to ascertain the owners of the different lots, and what conveyances of any lot have been made and recorded, besides other information daily required. This information cannot be procured at the recorder's office without great expense and labour, as he only keeps an index of the names of the grantees. The index in this office will be continued regularly, as deeds are recorded; and a similar one will be made as soon as possible of the Missouri bounty lands.

A town has been surveyed and laid off in the bounty lands, by this agency, called BOUNTYVILLE, which is improving.

Any part of the miltary lands, or the adjacent country, either in Illinois or Missouri, will, at any time, when requested, be explored for a small compensation, and an accurate description, and map of any lot or lots, if required, transmitted.



The subscriber has now for sale from 600 to 800 quarter sections of land in the Missouri and Illinois bounty tracts, which he intends to offer for sale at the government terms, both as to price and credit, with a deduction, however, of one half, instead of eight per cent. per annum for cash. A list of those for sale will be published on the first of June next, without any expense to the several proprietors. Persons desirous of having their lands offered for sale on the above terms will please to forward a list of their lands previous to that time, accompanied with proper authority.

In order to give the subscriber authority to sell, it will be necessary to forward a power of attorney, in the usual form, executed and acknowledged as above prescribed for deeds.

An agent will be established early in the spring on the bounty lands, who will furnish proprietors with any information required, and will particularly attend to all lands placed in charge of this agency for sale.

CHARGES.

For attending to the recording of deeds, ONE DOLLAR for each deed.

For entering for taxation, making the necessary affidavits, and paying tax, FIFTY CENTS per annum on each lot, whether a half or quarter section.

For redeeming lands sold for taxes, ONE DOLLAR for each lot.

For advertising and selling lands, TEN PER CENT on the amount of the sale, where lots are sold singly, and FIVE PER CENT where a number are sold together.

*Postage* is charged by weight, whenever a letter exceeds an ounce, and is then charged 25 cents for each quarter of an ounnce.

The sum of three dollars, or thereabouts will defray the expense of recording, postage and agency for recording each deed—and that sum, it is expected will accompany each deed sent to this office. The postage is included, as that is generally left unpaid by the persons who send.—The sum of six dollars, or thereabouts, will cover all expenses, including the tax for one year, where the deed is only for one quarter section. The subscriber requests, that when it is not inconvenient, remittances may be made in bills of the United States' Bank, or its branches, (other bills being generally at a discount); any surplus money will be returned to the owner, or paid over on account of future taxes, as may be directed; or the necessary amount may be deposited to the credit of the subscriber, in the U. States' Bank, or any of its Branches, and the certificate of deposite forwarded.

Having experienced serious inconvenience from advancing large sums of money on agencies sent to him heretofore, a charge of five per cent. will in future be made for all moneys advanced, to compensate for the inconvenience and loss.

Literary, map, newspaper, and other agencies



or commission business, will be received at this office, upon the usual terms and rates of commission.

All demands transmitted to this agency for collection, either in Missouri, Illinois or Arkansas, will be promptly attended to; and when suits are directed, they will be instituted and brought to a determination as speedily as possible. A commission of two and a half per cent. will be charged for collecting and forwarding money, where no suit is brought. The difference of exchange will, however, be charged to the employer. An additional per centage will be charged, where suit is ordered to be instituted, and becomes necessary, which however will not exceed 4 per cent on undisputed demands above 250 dollars. The fees taxable by law, do not in ordinary cases exceed from 12 to 15 dollars, which are collected with the amount recovered. Arrangements have been made, and are making to establish a connection through the different parts of the adjoining states and territories, by which means the collection of debts can be attended to without any delay, and the attention of a person residing on the spot will be insured.

Letters requesting information merely, if they enclose sufficient to compensate for the trouble and expense, will at all times be answered with promptness.

In every case the most satisfactory references will be given.

AB'M BECK,
Attorney and Counsellor at Law.

*St. Louis, Jan.* 8, 1820.

SCHEDULE OF EXPENSES IN ILLINOIS.

*Recorder's Fees.* Eighteen cents for every hundred words, averaging about $1 00
Certificate to each deed, 0 50
*Postage.* Double letters, 0 50
*Agency.* For recording each deed, 1 00

TAXES.

The taxes for the year 1818, and previous years, ought to have been paid on or before October 1, 1818.

On every quarter section, conveyed before August 1, 1817, for 1817, $1 20
On every quarter section conveyed before August 1, 1818, for 1818, 1 20

All lands, conveyed on or before March 27, 1819, ought to have been entered for taxation, on or before Aug. 1, 1819, and the taxes paid on or before Oct. 1, 1819, at the following rates per annum:—

On every such quarter section; regularly entered, and taxes duly paid, $1 60
On every quarter section, not entered on August 1, 1819, or on which taxes are unpaid, after Oct. 1, 1819, 9 60

All lands conveyed after March 27, 1819, must be entered for taxation in nine months after the date of the conveyance, and taxes paid on the 1st October thereafter—

On every such quarter section, regularly entered, and taxes duly paid, $1 60
On every quarter section, not entered, or taxes unpaid at the proper time, 9 60

All lands, conveyed before the 1st day of August in each year, are considered liable to taxation for that year.

To redeem a quarter section sold for taxes for the year 1819, and subsequent years—sheriff's fees being added, $20 20
*Agency.* For entering for taxation, making affidavit and paying tax for each lot, per annum, 0 50
For redeeming each lot *sold for taxes* 1 00



IN MISSOURI.

*Recorder's Fees.* Fifteen cents for every 100 words, averaging about 0 80
Certificate and seal, 0 20
*Tax.* On each deed recorded, 0 50
*Postage.* Double letters, 0 50
*Agency.* For recording each deed, 1 00

TAXES.

On every quarter section, regularly entered and paid, $1 13
To redeem a quarter section sor taxes, (not including costs of sale and survey, and improvements) 2 26
*Agency.* For entering for taxation, and paying tax for each lot, per annum, 0 50
For redeeming each lot sold for taxes, 1 00

# APPENDIX.

## LAWS IN ILLINOIS CONCERNING DEEDS.

*Extract from an act of the Legislature of Illinois, entitled "An act establishing the Recorder's office, and for other purposes." passed February* 19, 1819.

That all deeds to be recorded in pursuance of this act, whereby any estate of inheritance in fee simple shall hereafter be limited to the grantor, and his heirs; the words, *grant, bargain, sell,* shall be adjudged an express covenant to the grantee, his heirs and assigns, to wit: That the grantor was seized of an indefeasible estate, in fee simple, freed from incumbrances, done or suffered from the grantor, except the rents and services, that may be reserved; as also for quiet enjoyment against the grantor, his heirs and assigns, unless limited by express words contained in such deed; and that the grantee, his heirs, executors and administrators, and assigns, may, in any action, assign breaches as if such covenants were expressly inserted: *Provided always,* That this law shall not extend to leases at rack rent, or to leases not exceeding one and twenty years, where the actual possession goes with the lease. (*a*)

All deeds and conveyances, which shall be made and executed of, or concerning any lands, tenements, or hereditaments, within this state, or whereby the same may in any way be effected in law or equity, (if such deeds and conveyances shall be made in this state) shall be acknowledged by one of the grantors, proved by one or more of the subscribing witnesses to such deed or conveyance, before one of the justices of the supreme court, or before some county commissioner of the county, where the deed or conveyance was executed, or before some justice of the peace of such county. But if such deed or conveyance shall be made and executed without this state, then the same shall be acknowledged by the grantor, or proved by one of the subscribing witnesses, before some judge of a superior court of the state, mayor or other chief magistrate of the city, or before the clerk of the county or other court of the county, where such deeds or conveyances shall be made and executed, and certified under the common or public seal of such city or county.—And all such deeds and conveyances, whether executed within or without the state, shall be recorded in the recorder's office of the county where such



lands, tenements, or hereditaments are lying, and being within 12 months after the execution of such deeds and conveyances; and every such deed or conveyance, that shall at any time after the publication hereof, be made and executed, and which shall not be proved and recorded as aforesaid, shall be adjudged fraudulent and void against any subsequent purchaser or mortgagee, for valuable consideration, unless such deed or conveyance be recorded as aforesaid, before the proving and recording of the deed of conveyance, under which such subsequent purchaser or mortgagee shall claim.

When the grantors and witnesses of any deed or conveyance, are deceased or cannot be had, it shall and may be lawful to and for the justices of the supreme court, or county commissioners, or any justice of the peace, to take the examination of any witness or witnesses on oath or affirmation, to prove the hand writing of such deceased witness or witnesses; or where such proof cannot be had, then to prove the hand writing of the grantor or grantors, which shall be certified by the judge or justice, before whom such proof shall be made; and such deed or conveyance being so proved, shall be recorded as is usual in other cases, directed above by this law.(*b*)

Every recorder shall keep a fair book, in which he shall immediately make an entry of every deed or writing brought into his office to be recorded, mentioning therein the date, the parties and the place, where the lands, tenements, or hereditaments granted or conveyed by the said deed or writing, are situated, dating the same entry on the day in which such deed or writing was brought into his office; and shall record all such deeds and writings, in regular succession, according to their priority of time in being brought in said office; and shall also, immediately give a receipt to the person bringing such deed or writing to be recorded, bearing date on the same day with the entry and containing the abstract aforesaid; for which entry and receipt he shall take no fee or reward whatever. And if any recorder shall record any deed or writing before another first brought into his office to be recorded, or in any other manner, than is herein directed, or shall neglect or refuse to make such entry, or give such receipt as is herein before directed, or shall directly or indirectly take or receive any fee or reward, he shall forfeit and pay for every such offence, a sum not exceeding three hundred, nor less than one hundred dollars; one half to the use of the state, and the other half to him or them, that shall sue for the same; to be recovered in any court of record, by action of debt, bill or plaint,

wherein no essoin, protection, or wager of law, or more than one imparlance shall be granted (e)

When any husband and wife shall hereafter be inclined to dispose of, and convey the estate of the wife, or her right of, in, or to any lands, tenements or hereditaments whatsoever, it shall and may be lawful to and for the said husband and wife, tha wife not being less than eighteen years of age, to make, seal, deliver and execute any grant, bargain and sale, lease, release, feoffment, deed, conveyance, or assurance in the law whatsoever, for the lands, tenements and hereditaments, intended to be by them passed and conveyed; and after such execution to appear before one of the justices of the supreme court, or county commissioner, or justices of the peace, and to acknowledge the said deed or conveyance, which justice of the supreme court, county commissioner, or justice of the peace, shall, and he is hereby authorized and required to take such acknowledgment, in doing whereof, he shall examine the wife separate and apart from her husband, and shall read and otherwise make known the full contents of such deed or conveyance to the said wife; and if upon such separate examination, she shall declare that she did voluntarily, and of her own free will and accord, seal, and as her act and deed, deliver the said deed or conveyance without any compulsion or coertion of her said husband, every such deed or conveyance shall be, and the same is hereby declared to be good and valid in law, to all intents and purposes, as if the said wife had been sole, and not covert at the time of such sealing and delivery; any law, usage or custom to the contrary in any wise notwithstanding: *Provided*. That the judge or justice taking such acknowledgment shall, under his hand and seal, certify the same upon the back of such deed or conveyance.

*Extracts from an act entitled "An act regulating the fees of the several officers and persons therein named," passed March* 20, 1819.

RECORDERS' FEES.

| | |
|---|---|
| Recording deeds, mortgages and all other instruments of writing, per one hundred words, | 18 |
| For certificate of any writing recorded, | 50 |

## LAWS IN MISSOURI CONCERNING DEEDS.

*Extracts from the Digest of the Laws of Missouri, title "Conveyances."*

Two sections in the laws are precisely the same *in hæc verba*, as the two sections in the laws of Illinois, marked *a* and *b*.



All deeds and conveyances which shall be made and executed within this district [territory] of or concerning any lands or hereditaments therein or whereby the same may be in any way effected, in law or equity shall be acknowledged by one of the grantors or bargainers, or proved by one or more of the subscribing witnesses to such deed before one of the judges of the general [superior] court, or before one of the justices of the court of common pleas† of the district (county) where the lands surveyed lie, and shall be recorded in the recorder's office of the district (county) where such lands or hereditaments are lying and being within *twelve months*‡ after the execution of such deed or conveyance, and every such deed and conveyance, that shall at any time after the publication hereof be made and executed, and which shall not be proved and recorded as aforesaid, shall be adjudged fraudulent and void against any subsequent purchaser, or mortgagee for a valuable consideration, unless such deed or conveyance be recorded as aforesaid, before the proving and recording of the deed or conveyance under which such subsequent purchaser or mortgagee shall claim.

It shall and may be lawful for any judge of the court of common pleas [circuit court] within this territory, or for any justice of the peace of the district [county], where the land lies, to take the examination of witnesses to any deed or conveyance, or the acknowledgment of grantors in any deed or conveyance for lands in the manner and form as is provided by an act entitled "An act for establishing recorder's offices."

The clerks of the circuit courts in their respective counties, shall have the same power of taking the acknowledgment and proof of deeds and conveyances of lands or tenements, lying in any part of this territory, as any judge of the superior or circuit courts in this territory, or any justice of the peace of the county where the lands lie, have now by law. *Provided*, Such acknowledgment or proof be attested by said clerk under his official seal.

All deeds and conveyances of any lands or tenements in this territory, made and executed, by any persons not residing within this territory, which shall be acknowledged or proved before any court of record, and certified under the seal of such court of record; and all such deeds and conveyances made and executed by such person or persons not residing in

† See *post* ea.
‡ See *post* ea.

this territory, as shall be acknowledged or proved before any mayor, chief magistrate, or other officer of any city, town, or place, where such deeds or conveyances are or shall be made or executed, and certified under the common or public seal of such city, town or place, where they have a public seal, if not under the private seal of such mayor, chief magistrate, or other public officer, shall be as valid and effectual in law, as if the same had been acknowledged or proved before any judge of the superior or circuit courts in this territory or before any justice of the peace of the county where the lands or tenements lie.

From and after the taking effect of this act, [1st April 1817] in all cases where any person shall purchase any real estate within this territory, from any person having the equitable, but not the legal title thereof, and which purchase shall be attested by a deed in the form of a deed of conveyance, or by a bond to make a title to the real estate so sold, or by any other instrument of writing, signed by the party to be charged therewith, or by any other person duly authorized to sign the same for him, it shall and may be lawful for the person so purchasing, after proving the execution thereof, to exhibit the said deed, bond, or instrument in writing, to be recorded in the recorder's office in the same county, wherein the said real estate is situated, where it shall be received and recorded in the same manner and upon the same conditions as are provided by law for mesne conveyances, and any such deed, bond, or instrument in writing so recorded, shall impart from the day of recording the same full and perfect notice to all persons of the sale of the land therein mentioned, and all subsequent purchasers of the same land shall be deemed and held in law and equity to be purchasers with notice of the prior sale, and shall gain no right to the prejudice of the first purchaser.

All deeds, conveyances, bonds and other obligations for lands, tenements or hereditaments hereafter made and proven or acknowledged before any competent authority shall be recorded, in the county in which such lands, tenements, or hereditaments are situate, within three months from the date thereof, or the same shall be void against subsequent purchasers, so recording the said deeds, conveyances, bonds, or other obligations within the time prescribed by this section.

All deeds, conveyances, bonds and obligations, for the conveyance of lands, tenements or hereditaments lying and



being situated in this territory, and the right of dower therein and therein, may be acknowledged before any justice of the peace in this territory in the manner and under the same restrictions as are now provided by law.

---

*Extracts from the same. Title,* "RECORDER."

The same precisely as the section marked (c) in the laws of Illinois.

---

*From the same. Title,* "FEES."

Recorder's (now clerk of Circuit Court's fees)

| | |
|---|---|
| For recording any deed, mortgage, or other instrument, per sheet of one hundred words | $0 15 |
| Certificate and seal | 0 25 |

---

*From the same. Title,* "REVENUE."

There shall also be paid on each deed or mortgage recorded a tax of fifty cents to be paid down.

---

## LAWS IN ARKANSAS CONCERNING DEEDS.

*Extract from a law of Congress, entitled "An act establishing a separate territorial government in the southern part of the territory of Missouri," passed March 2, 1819.*

That all the laws, which shall be in force in the territory of Missouri, on the fourth day of July next, not inconsistent with the provisions of this act, and which shall be applicable to the territory of Arkansas, shall be, and continue, in force in the latter territory, until modified or repealed by the legislative authority thereof.

---

## LAWS IN ILLINOIS CONCERNING TAXES.

*Extract of a law of Congress, entitled "An act to enable the people of the Illinois territory, to form a constitution and state government, and for the admission of such state into the union, on equal footing with the original states," passed April 18, 1818.*

"*Provided always*, That the four foregoing propositions, herein offered, are on the conditions that the convention of

the said state shall provide by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January, one thousand eight hundred and nineteen, shall remain exempt from any tax laid by order, or under any authority of the state, whether for state, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale: *And further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt as aforesaid from all taxes, for the term of three years from and after the date of the patents respectively; and that all the lands belonging to the citizens of the United States, residing without the said state, shall never be taxed higher than lands belonging to persons residing therein.

---

*Extract from an ordinance passed by the Convention of the state of Illinois, passed August 26, 1818.*

"Therefore, this convention, on behalf of and by the authority of the people of the state, do further ordain and declare, that every and each tract of land sold by the United States, from and after the first day of January, 1819, shall remain exempt from any tax laid by order or under any authority of the state, whether for state, county or township, or any purpose whatever, for the term of five years from and after the day of sale. And that the bounty lands granted or hereafter to be granted for military services during the late war, shall while they continue to be held by the patentees or their heirs, remain exempt as aforesaid, from all taxes for the term of three years from and after the date of the patents respectively; and that all the lands belonging to the citizens of the United States residing without the said state, shall never be taxed higher than lands belonging to persons residing therein. And this convention, do further ordain and declare, that the foregoing ordinance, shall not be revoked without the consent of the United States.

---

*Extract from a law of the state of Illinois, entitled "An Act providing for the valuation of Lands and other property, and laying a tax thereon," passed March 27, 1819.*

That all lands claimed by individuals, whether by deed, entry, bond for conveyance, patent, grant, or otherwise, or



where the same has been entered in any land office established for the sale of lands, lying within this state, for the purposes of taxation, shall be, and they are hereby divided into three classes as follows, to wit: Lands of the first quality, shall compose the first class; of the second quality, the second class; and of the third quality, the third class.

That for the purposes aforesaid, the lands aforesaid shall be, and they are hereby valued as follows, to wit: Lands of the first class, at four dollars per acre; of the second class, at three dollars per acre; of the third class, at two dollars per acre.

That each and every person claiming lands as aforesaid, shall pay in the manner hereinafter pointed out, a tax of one half per centum per annum upon the value of his or her lands, fixed as aforesaid; and the state shall have a lien upon all and every tract of land or claim thereto, holden or claimed as aforesaid.

That all sales and other proceedings hereinafter directed, shall be good and valid in whose name soever, the said land or claim thereto, shall be listed, entered or sold, unless he, she or they contesting the validity thereof, shall shew that the tax had actually been paid thereon; which in all cases, shall be the first thing required of any one attempting to set aside any sale under this act.

That all non-residents, claiming land as aforesaid shall enter the same with the auditor of public accounts, at his office at the seat of government, on or before the first day of August next, and on or before the first day of August yearly and every year; and all such non-residents, shall pay to the treasurer of this state, the taxes imposed by this law, on or before the first day of October next, and on or before the first day of October yearly and every year; and it shall be the duty of every such non-resident, at the time he enters his lands with the auditor as aforesaid, either by himself or agent, to present to the auditor, a list of his lands describing the quality thereof, and the class to which each tract belongs, and the county in which each tract of land is situated, which list shall be accompanied with an affidavit of such non-resident or his agent, wherein it shall be stated that such list contains a true description of the lands therein described, to the best of the affiant's knowledge and belief.

That if any non-resident shall fail, neglect or refuse to enter with the auditor his lands as aforesaid, or if any such non-resident shall fail, neglect or refuse to pay the taxes to the treasurer as aforesaid, each and every non-resident so fail-

ing, neglecting or refusing, shall pay three times the amount of the taxes by this law imposed as aforesaid, and the lands of such delinquent shall be rated in the first class; and it shall be the duty of the auditor, to transmit a list of lands, not entered by non-residents, together with a list of lands entered, where the tax has not been levied thereon conformably to the directions of this act, to the sheriff of the county wherein the seat of government is situated as soon as may be; whereupon the said sheriff shall advertise the said lands as listed for sale in some public newspaper, printed at the seat of government of the state, and if there shall be no such newspaper printed at the seat of government, then in the paper printed nearest thereto, as many as five weeks successively, giving notice of the day of sale; and shall accordingly, continuing the sale from day to day, if necessary, sell the whole, or so much of each tract as will pay the tax, the sheriff's fees, and the costs of advertising; which sale shall be at the door of the house, where court is or may be usually held for the county.

That if any tract of land, of either residents or non-residents, will not, when exposed to sale as aforesaid, sell for the taxes and costs due thereon, it shall be struck off to the state, which shall be considered the purchaser thereof. And in all cases of non-resident's lands, the sheriff, who sells the same, shall return to the auditor a list of the sales, specifying the quantity of each that has been sold, the price it sold for, and the purchaser's name to whom it was sold. And it shall moreover be the duty of the said sheriff, to give to each purchaser a certificate of the sale to him, which shall vest the title, right, claim or interest, of whatever description, of all and every person or persons, whomsoever in him, completely and perfectly, unless the property sold, shall be redeemed in manner hereinafter pointed out.

That all residents shall be allowed two years, from and after the day of sale, to redeem their property sold for taxes, by paying the price the same sold for, with one hundred per centum thereon, to the clerk of the county commissioners' court. The non-residents may redeem their lands by paying the same rate to the auditor of public accounts, within two years from the day of sale; which money, the said clerks and auditor shall pay to the respective purchasers, their agents or attornies, whenever required, and of the receipt of which they shall keep a record in their respective offices, which at all times, shall be sufficient to vacate the sales aforesaid. *Provided always*, That where any property, sold for taxes, by virtue of this act, shall



belong to heirs, any one of whom is not of lawful age, the same lands may be redeemed as aforesaid, at any time within one year after the youngest heir becomes of age.

That the auditor of public accounts be, and he is hereby directed to postpone the further collection of the tax which may be due upon the lands owned by non-residents for the year eighteen hundred and eighteen, until the first day of October next; *Provided*, That nothing in this section shall prevent the auditor from certifying to the treasurer the amount of tax remaining due on any tract of land when required by the owner.

That all non-residents who shall by themselves or agents, pay into the treasury of the state, the full amount of single tax due for the year eighteen hundred and eighteen, and for every previous year for which tax may remain due on or before the first day of October next, shall be exempt from the penalties of the territorial laws laying a tripple tax for a failure to list their lands with the auditor of public accounts

That each and every non-resident owning lands within this state, who shall fail to pay the tax which may remain due and unpaid for the year eighteen hundred and eighteen, as well as any previous year on or before the first day of October next, shall be subject to and pay tripple the amount of the tax, for the year eighteen hundred and eighteen, and the auditor is required to proceed against such delinquent, agreeably to the provisions of this act.

That all lands lying within the military tract set apart by the United States for the bounty lands, upon which a tripple tax has been paid, except such as have been advertised and sold for the tax due thereon, shall be allowed a credit on their tax list for the following years, for the sum which may have been paid over a single tax; and the auditor is authorised to credit all such lands on his books accordingly.

That all persons who may hereafter become the owners of any lands lying within the military bounty tract, shall be allowed nine months from the date of such purchase, to list the same with the auditor.

---

## LAWS IN MISSOURI CONCERNING TAXES.

*From the Digest. Title,* "REVENUE."

There shall be levied and collected as a territorial tax, on all lands within this territory, claimed as a complete title, and on all lands confirmed or granted by the board of commissioners.

or the recorder of land titles of this territory, and on all lands claimed or confirmed by any act of congress, a tax of sixty cents for every hundred arpens, and so in proportion for a greater or less quantity.

All lands hereby made taxable, and owned or claimed by non residents, shall be entered or listed by such non resident his, her or their agent, with the auditor of public accounts for this territory, on or before the first day of July next. And the auditor shall keep a book in which he shall carefully enter each and every tract or claim of land hereby made taxable, and owned or claimed by non residents, stating the nature of the claim, the quantity of land, the county and water course, where the same is situated. And it shall be the duty of the auditor, in all cases where the lands are owned or claimed by non residents hereby made taxable, and not listed or entered with him for taxation as aforesaid, to list and enter the same himself from the best information he can procure, which it is hereby made his duty as far as practicable to acquire. And the said auditor shall, on or before the first day of August in every year, forward to the sheriff or collector of each county in this territory, a list of the lands, owned or claimed by non residents, situated in his county, whereupon the sheriff or collector shall be bound to receipt therefor to the auditor, and proceed to the collection of the tax due on all lands contained in said list and pay the same over in the same manner, and at the time, and under the same regulations and penalties as are provided by this act. *Passed January* 21, 1815.

Where any tract or parcel of land owned or claimed by any non resident and listed with the auditor shall be sold or transferred, it shall be the duty of the purchaser, if he be a non resident, to file with said auditor on or before the day that he makes his annual list, to forward to the different sheriffs as aforesaid, a duly certified copy of his or her deed or transfer, whereupon the auditor shall enter or list the same for taxation in the name of the purchaser. And no sale, change, or transfer of any tract of land contained in the auditor's list shall in any manner effect or prevent the collection of taxes due thereon at the time of such sale, change or transfer.

And in all cases where the sheriff cannot find sufficient personal property, whereon to levy and make distress for the payment of taxes according to the provisions of this act, it shall and may be lawful for the sheriff to sell at the court house door of the county, by public sale, on the first Monday of November annually, so much of each tract of land chargeable for taxes, as will be sufficient to pay the amount of taxes due



thereon. And the said sheriff shall previous to such sale, give notice thereof, at least sixty days by an advertisement in some newspaper printed in this territory or in case there be none printed in this territory, then in some newspaper printed in the next adjoining territory or state, and by advertising, at the court house door, the time and place of sale, particularly describing the land and the different tracts to be sold And the sheriff shall deliver to the purchaser a certificate of the quantity of land sold, describing therein the tract which was chargeable with taxes. And the part so sold shall be taken as near as may be, in a square, and it shall adjoin one or other of the outlines or corners of the survey of such tract of land, so as not to include an improvement if to be avoided. And a designation of the parts so sold, shall be made by the sheriff, at the time of such sale. And in cases where the claim, or part of a claim of land sold for taxes under this act, shall not have been surveyed by the proper authority of the United States, or shall be so uncertain as to locality or identity, that the county surveyor cannot ascertain the boundaries of the claim, the purchaser shall be entitled as near as possible to the part designated by the sheriff's advertisement for the sale of such land, and the land to be laid off as soon as the claim itself shall be identified

The surveyor of the county, on the receipt of the sheriffs certificate of land sold for taxes, shall by himself or deputy, proceed to survey and lay off the quantity of land, agreeable to said certificate, and charge the expense of making a survey and plat thereof to the purchaser, or his, or her heirs or assigns, and on the plat and certificate of survey, being presented to the sheriff or his successors in office, it shall be his duty to convey the same to such purchaser, or his heirs or assigns, by deed in due form of law executed, which survey and deed, shall vest in the purchaser or his or her heirs or assigns, all the right, title, claim and interest to the said lands, (the right of the U. States only excepted) to the part so sold. But the said sheriff may nevertheless convey any lot or tract of land sold for taxes, without having the same surveyed, when the whole tract or lot is sold: *Provided*, That if any person or persons, his, her or their lawful agent or attorney, shall within twelve months from and after the day of sale, pay or tender to the said purchaser, his, her or their legal heirs or representatives, or lawful agent or attorney, the amount of such tax, together with

the costs of sale and survey, and one hundred per cent interest per annum on the same, and likewise to pay to the purchaser for all improvements that are made by said purchaser on said land, at their just and real value, his, her or their lands shall therefrom be discharged and redeemed from such sale: *Provided however*, That nothing herein contained shall be considered in law as a bar to the right or equity of redemption, which any infant, person of unsound mind, in captivity or beyond the limits of the United States, or in the military service of the United States, may have in the land so sold: *And provided also*, That the tax on said land, together with the interest thereon, and an equitable compensation for improvements made on said land be tendered to the purchaser or his assigns within one year after such disabilities be removed.

The lien which the territory has on any tract or tracts of land or claims thereto for the payment of taxes imposed, and due thereon, shall not be affected by any transfer whatever, and all sales of any tract or tracts of land, or claim thereto by the sheriff or other proper officer, according to the provisions of the act to which this is a supplement, shall be deemed good and valid, in whose name soever the said land or claim thereto shall be entered or sold, unless he, she or they contesting the validity thereof, shall shew that the tax had actually been paid thereon, which in all cases shall be the first thing required of any one attempting to set aside a sale under this or the act to which this is a supplement.

If any tract of land, or claim thereto of either residents or non residents, will not, when exposed to sale as aforesaid, sell for the taxes and costs due thereon, it shall be struck off to the territory, who shall be considered the purchaser thereof, and it shall be the duty of the sheriff making such sale, to make a title for the same to the governor of the territory, and his successors in office, for the time being, in trust to and for the use of the said territory, in such manner as the other titles are by him made to other purchasers, and the governor shall, on such titles being made to him, draw on the territorial treasurer in favour of the sheriff, for the amount of all costs due to him on such sales, who shall pay the same accordingly.



*From a Law of Congress, entitled, "An act establishing a separate Territorial Government in the southern part of the Territory of Missouri." Passed March 2, 1819.*

That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt from all taxes for the term of three years from and after the date of the patents respectively.

---

## PUBLIC LANDS.

"For the disposition of these lands, a plan has been adopted, calculated to enable every industrious citizen to become a freeholder, to secure indisputable titles to the purchasers, to obtain a national revenue, and above all to suppress monopoly*."

"To furnish the materials for an easy, certain, and precise definition, *five principal meridians* have already been designated and marked.

The first commences at the confluence of the *Great Miami*, and the *Ohio* This meridian extended to the north boundary of the United States, is 450 miles in length.

The *second principal meridian* commences on the *west* branch, at a point *five* miles south-west of the confluence of the *Little Blue River* with the *Ohio;* this meridian, extended to the north boundary of the United States, is 580 miles in length; it is crossed, at the distance of 30 miles from its commencement, by a *base* line or *parallel to the equator*, which has been extended through *Indiana* and *Illinois* to the east branch of the *Mississippi*.

The *third principal meridian* commences at the confluence of the *Ohio* and *Mississippi;* when extended towards the northern boundary of the United States, it will reach the south shore of *Lake Superior*, at the distance of 700 miles from the beginning.

The *fourth principal meridian* was run for the purpose of surveys for military bounties for the soldiers in the late war. It commences at the confluence of the rivers *Illinois* and *Mis*

* *Report of the secretary of the Treasury in* 1808.

*sissippi*; when extended towards the north boundary, it will strike the south shore of *Lake Superior* at the distance of 540 miles from its beginning. This meridian, at the distance of 72 miles from its beginning, is crossed by a *base* line or *parallel to the equator*, *Five and a half million* acres between the *Illinois* and *Mississippi* have been surveyed—from which have been selected for bounties, three and a half million acres of land "fit for cultivation"—the whole of which has been located and patented.

The *fifth principal meridian* begins at the confluence of the *Arkansas* and *Mississippi* rivers: it is crossed by a *parallel to the equator* or a *base* line, at the distance of 60 miles from its beginning. Township 58 north of that base has been surveyed. This meridian, extended to the north boundary, will be 980 miles in length; and, if continued southerly, will strike the coast of the *Mexican Gulf* at 830 miles distance, from the mouth of the Arkansas, at a point on the coast of the Gulf, in latitude 29 degrees 30 minutes north; and in longitude 14 degrees west of the Capitol; its whole length will be 1.310 miles, equal to twice the length of the kingdom of France.

| | |
|---|---|
| Between the west boundary of Pennsylvania, and the first meridian above described, are | 37 ranges. |
| Between the first and second, | 15 do. |
| Between the second and third, | 24 1-2 do. |
| Between the third and fifth, | 16 do. |
| Between the fifth and the west boundary of Howard county, in Missouri - - - - | 32 1-2 do. |
| | 125 R. or 750 miles.* |

The deputy surveyors are also instructed, in order to preserve the townships square, to form a new base or parallel to the equator at every 24 or 30 miles.

The public lands are laid out in townships, *six* miles square. The range lines run south and north, and are parallel. Each township contains an area of 36 square miles or sections, each of which contains 640 acres, and each township contains 23,040 acres. A quarter section is also a square, each

* *Hon. Josiah Meigs, commissioner of the General Land Office.*



side of which is half a mile, and contains 160 acres. The sections are numbered from one to thirty-six, beginning at the N. E. corner of the township progressing from right to left to the N. W. corner, and returning from left to right to the east boundary of the township, thus,

| | | | | | |
|---|---|---|---|---|---|
| 6 | 5 | 4 | 3 | 2 | 1 |
| 7 | 8 | 9 | 10 | 11 | 12 |
| 18 | 17 | 16 | 15 | 14 | 13 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| 30 | 29 | 28 | 27 | 26 | 25 |
| 31 | 32 | 33 | 34 | 35 | 36 |

"All the dividing lines run according to the cardinal points and cut one another at right angles, except where fractional sections are formed by navigable rivers or by an Indian boundary line. The subdividing lines of quarter sections are not actually surveyed, but the corners, boundaries, and contents of these are designated and ascertained by fixed rules prescribed by law."*

The townships are numbered north and south parallel to the base line extending from the medium latitude line. The ranges are numbered east and west from the basis meridian and parallel to the medium latitude.

In establishing corners, a post is first placed at the point of intersection; then on the tree nearest the post and standing within the section or township intended to be designated, is numbered,—the range, township, and number of the section, thus,

| | |
|---|---|
| West R. 1 | R. 1 East |
| T. 10 | T. 5 |
| S E Qr. S 36 | S. 31 S W Qr. |
| N E Qr. S. 1 | S. 6 N W Qr. |
| T. 9 | T 4 |
| West R. 1 | R. 1 East. |

The quarter corners are marked 1-4 S. merely.

* *The Introduction to the volume of Land Laws, compiled in virtue of a resolution of Congress, of the 27th April, 1810.*

Section No. 16, of every township is reserved for the use of schools.

Sections number 2, 5, 20, 23, 30, and 33. are offered for sale in quarter or half quarter sections, at the option of the purchaser.

"All public lands, not excepted, are, after the rightful private claims have been ascertained and confirmed, offered for sale at public sale in quarter sections of 160 acres each, but cannot be sold for less than two dollars an acre. The lands not purchased at public sale, may, at any time after, be purchased in quarter sections, at private sale, and at the rate of two dollars an acre, and without paying any fees whatever. The purchase money whether the land be bought at public or at private sale is payable in four equal instalments, the first within forty days, and the three others within two, three, and four years after the date of the purchase. No interest is charged if the payments be punctually made; but it must be paid from the date of the purchase at the rate of six per cent. a year, on each instalment, not paid at the day on which it is due. A discount at the rate of eight per cent. a year is allowed for prompt payment, which if the whole purchase money be paid at the time of purchasing the land, reduces its price to one dollar and sixty-four cents per acre. Tracts not completely paid for within five years after the date of the purchase, are offered for sale at public sale, at a price not less than the arrears of principal and interest due thereon. If the land cannot be sold for that sum, it reverts to the United States, and the partial payments are forfeited; if it sells for more, the surplus is returned to the original purchaser*."

Locations are made by depositing with the Receiver one twentieth of the purchase money; which secures the tract to the applicant for 40 days, and if no person applies for it in the interim, for 90 days.

Every applicant for land is required to produce a description of it in writing to the Register, signed by himself, before an entry can be made. The usual form is as follows:—

* *Ibid.*



"North-east quarter of section No. town No. in Range No in the name of A. B. of ." He then receives from the Register an application to the Receiver, describing the land, prices, &c. which he presents to the Receiver, and makes the payment required; upon which he receives his receipt, and must, forthwith, produce it to the Register, who, after ascertaining its correctness, makes the entry on his books, and gives the purchaser a *certificate*, describing the tract and specifying the amount of the several payments, and the dates at which they become due. These payments must be made to the Receiver, and receipts obtained from him, which are presented to the Register, who endorses the amount, as received, on the back of the certificate, &c. till the last payment is made; then he retains the first certificate, and gives the holder, if he requests it, a *final receipt;* makes out a *final certificate*, which, together with the evidences of transfer, &c. (if any) is forwarded to the Commissioner of the General Land-Office at Washington City, and if found correct, a patent is made out, recorded and returned to the office, to be delivered over to the purchaser.

Land Offices are already opened in Missouri at St. Louis and at Franklin, Howard county, and in Illinois, at Shawneetown, Kaskaskia, and Edwardsville. Each Office is under the direction of a Register and Receiver.

Lands are likewise held by grants or concessions from the Spanish government, made prior to the treaty of 1803. some of which have been confirmed by a Board of Commissioners, formerly established by Congress, and after the Board was dissolved, by the Recorder of Land Titles in Missouri, agreeable to a subsequent law. Many of these grants or concessions are still unconfirmed, and applications are made at every session of Congress for the confirmation of some of them.

"The object of the respective boards of Commissioners appear uniformly to have been to guard against unfounded or fraudulent claims, to confirm *bona fide* claims derived from a legitimate authority, even when the title had not been completed, and to secure in their possessions all the actual settlers who were found on the land when the United States

took actual possession of the country where it was situated, though they had only a right of occupancy."*

By the act of March 2nd, 1805, a tract of land not exceeding 640 acres, was granted to every person, or the legal representatives of every person who had prior to Dec. 20, 1803, with the permission of the Spanish Authorities, and agreeable to their regulations made at actual settlement within the territories ceded by France to the United States, and who actually inhabited and cultivated said tract, and who had no title from the Spanish government. This donation, however, was only made to such as claimed no other tract of land in said territories, by virtue of a French or Spanish grant. By the act of April 21, 1806, three years residence was considered as proof of permission of settlement by the Spanish Authorities. and by act of March 3, 1807, ten years possession considered as proof of title.

By different laws Congress have also granted the right of pre-emption to individuals in Illinois and Missouri, who actually inhabited and cultivated a tract of land in said territories prior to a certain period; but not more than one pre-emption right can be granted to the same individual. By virtue of this right, the individuals are entitled to purchase such tract of land at two dollars an acre, without the same being offered for sale.

Congress have also granted to the sufferers by the earthquake in the county of New Madrid in Missouri, a right to locate the same or greater quantity of land as they owned in said county, if the same was materially injured by the earthquake, on any of the public lands in Missouri territory, the sale of which is authorized by law.

* *Ibid.*

JOS CHARLESS. PRINTER, ST LOUIS.

END OF
TITLE